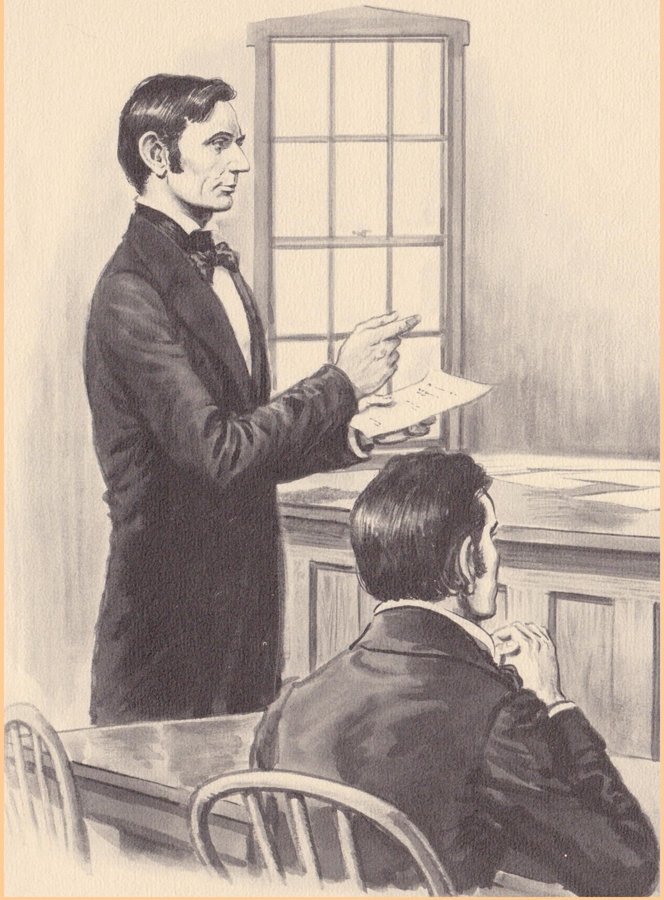
Abraham Lincoln's 3 Pontiac Cases

for

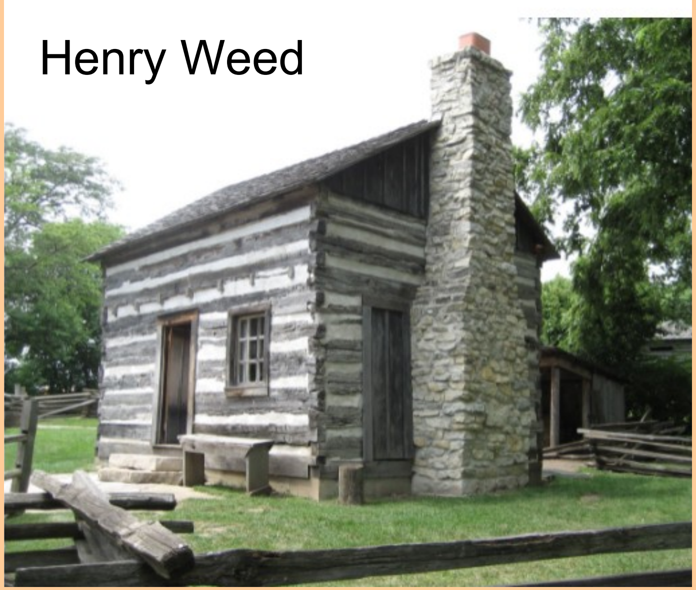
The Livingston County Historical Society



By: Dale C. Maley

Fairbury, Illinois

November 2021



Henry Weed

Lincoln's 3 Pontiac Cases

Date	Case	Description
05/1840	Wilson v. Popejoy	Wilson allowed Popejoy to ride his horse from Money Creek, Illinois, to Bloomington, Illinois, and back. Popejoy agreed to care for, to feed, and to shod the horse, and to pay Wilson $1. Popejoy failed to take care of the horse, and the horse died after returning. Wilson sued Popejoy in an action of assumpsit and requested $300 in damages. Popejoy retained Lincoln and claimed that Wilson owed him some money. The jury found for Wilson and awarded $70.25 in damages.
10/1840	Popejoy v. Wilson	Wilson claimed that Popejoy stole McDowell's meat. Popejoy retained Stuart and Lincoln and sued Wilson in an action of slander seeking $2,000 in damages. Wilson initially pleaded not guilty, but later he apparently withdrew his plea and confessed judgment for $2,000. Popejoy remitted the entire amount.
09/1843 12/1843	Blue v. Allen (Pontiac) IL. Supreme Court	Blue, the acting sheriff of Livingston County, Illinois, accused Eliza Allen of perjury. Eliza Allen and her husband Moses Allen sued Blue in an action of slander. The jury found Blue guilty and awarded the Allens $250. Blue retained Logan and Lincoln and appealed to the Illinois Supreme Court. The Allens failed to file a joinder in error and defaulted. The court reversed the judgment. The case was not reported in the Illinois Reports.

Lincoln’s 3 Pontiac Cases

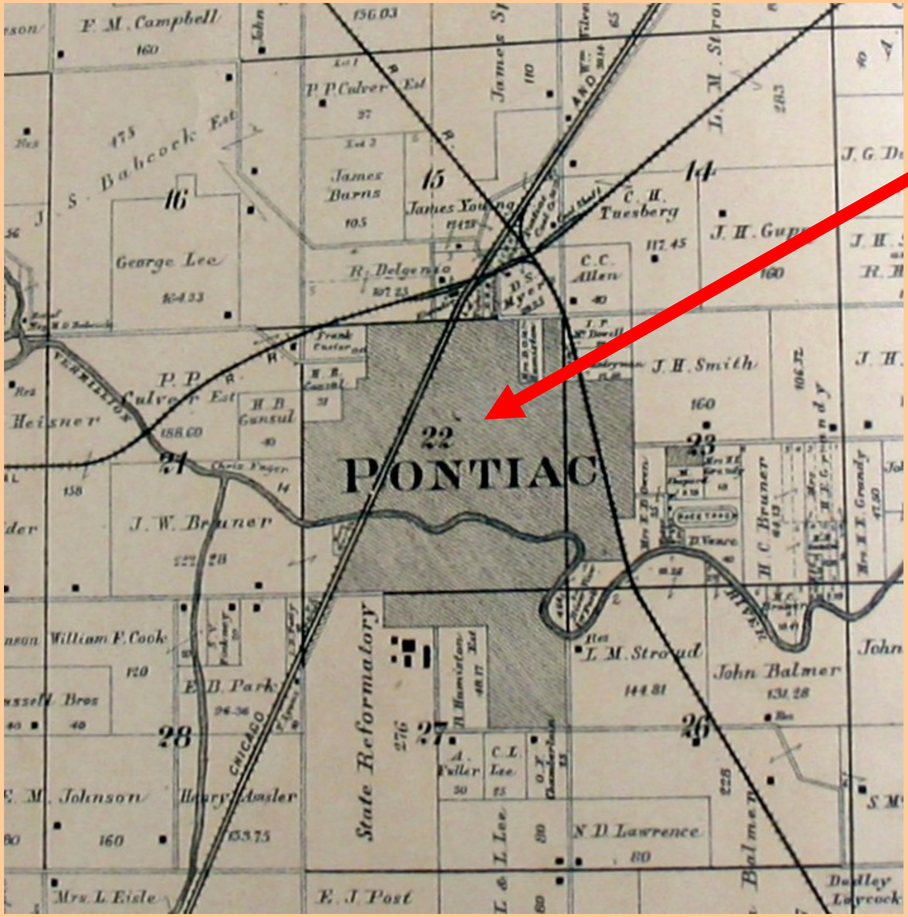
- Livingston County formed in 1837

- No court cases until May of 1840
  - No Courthouse built yet
  - Used Henry Weed’s log cabin on Vermilion River
  - Jurors deliberated on sawn logs outside the log cabin

Lincoln's 3 Pontiac Cases

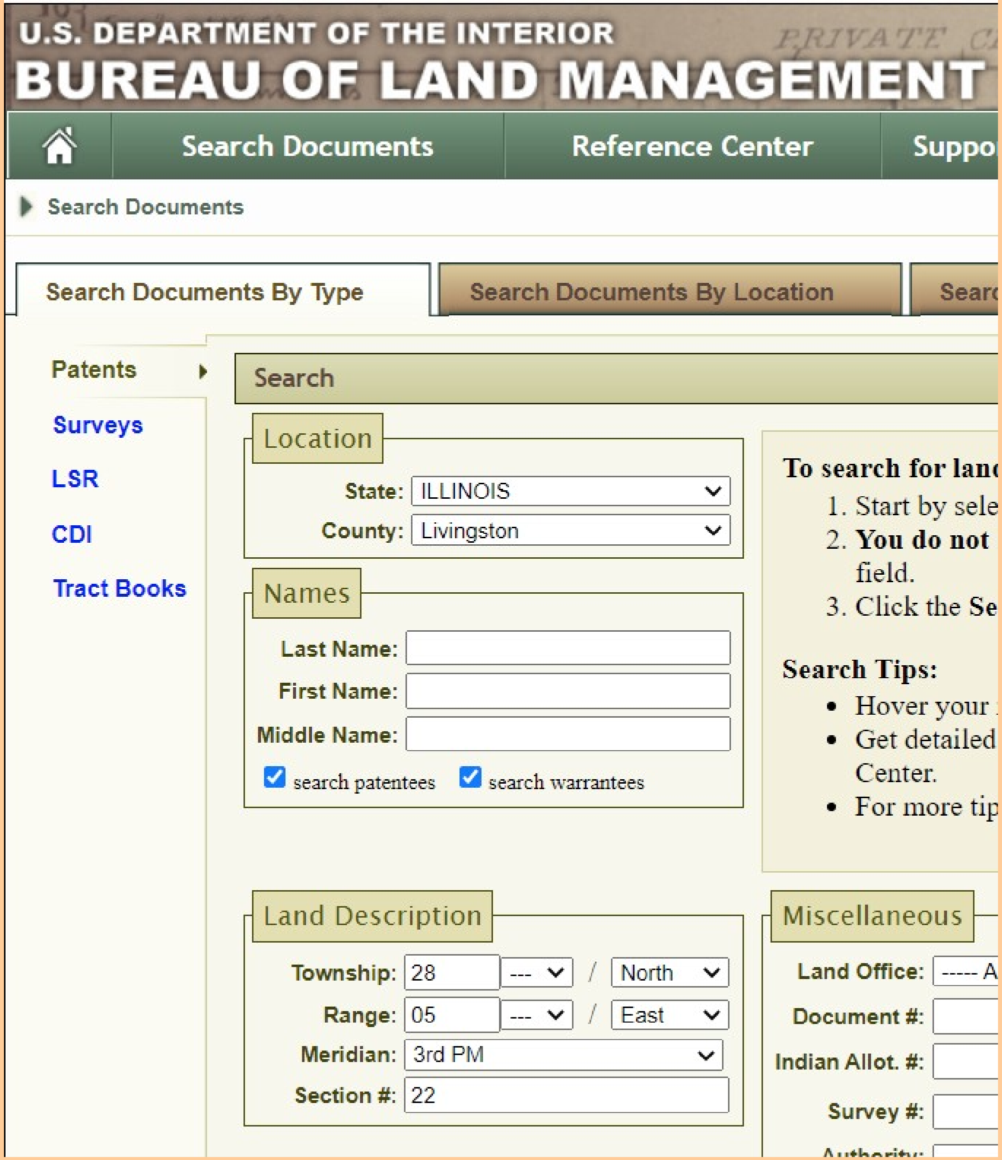
Pontiac Township

28 North Range 05 East



Original town in lower ½ of Section 22

Lincoln’s 3 Pontiac Cases



Lincoln's 3 Pontiac Cases

Names	Date	Doc #	State	Meridian	Twp - Rng	Aliquots	Sec. #	County
RUTHERFORD, TRUMAN	12/1/1848	8494	IL	3rd PM	028N - 005E	NW¼	22	Livingston
WEED, HENRY	11/10/1840	8519	IL	3rd PM	028N - 005E	E½NE¼	22	Livingston
WEED, HENRY	11/10/1840	8520	IL	3rd PM	028N - 005E	W½NE¼	22	Livingston
WEED, HENRY	11/10/1840	8521	IL	3rd PM	028N - 005E	E½SE¼	22	Livingston
WEED, HENRY	11/10/1840	8522	IL	3rd PM	028N - 005E	W½SE¼	22	Livingston
WELLS, WILLIAM H	11/10/1840	8533	IL	3rd PM	028N - 005E	E½SW¼	22	Livingston
					028N - 005E	W½SW¼	22	Livingston

Henry Weed and William H. Wells owned land where original village of Pontiac was created.

Lincoln’s 3 Pontiac Cases

- Mr. Wilson and Mr. Popejoy did not like each other !!

- Which Mr. Wilson and Mr. Popejoy was it?

Lincoln’s 3 Pontiac Cases

- Mr. Wilson and Mr. Popejoy did not like each other !!
- Which Mr. Wilson and Mr. Popejoy was it?

Lincoln's 3 Pontiac Cases

Isaac Lincoln Wilson

-born in 1812 in Greene County, Indiana.
-In 1835, at the age of 22, Isaac married 17-year-old Harriett Bishop in Indiana.
-The Isaac Wilson family moved from Indiana to Avoca Township in 1837.
-Isaac farmed in Avoca Township, and he hauled his grain to Chicago when that city was a small village almost buried in mud and mire.

Lincoln’s 3 Pontiac Cases

Isaac Lincoln Wilson

-When Livingston County was formed in 1837, Isaac Wilson was one of the first men elected to the position of Justice of the Peace
-served 10 years in that position.
-In 1840, Isaac Wilson purchased 80 acres from the federal government in Section 36 of Avoca Township.
-This land is in the southeast corner of Avoca Township on Indian Creek.

Lincoln’s 3 Pontiac Cases

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Lincoln’s 3 Pontiac Cases

William Champion Popejoy Sr.

-born in 1793 in Darke County, Ohio.
-In 1817, at the age of 24, William married Rebecca Hannaman in Ohio.
-The William Popejoy family moved from Ohio to Avoca Township in 1831.
-In early 1832, the McDowell family settled on Indian Creek about three miles north of Fairbury.
-The Popejoy and McDowell families were among a small group of early settlers that temporarily went to Indiana during the 1832 Black Hawk War.
-They returned to their homes when the war ended.

Lincoln’s 3 Pontiac Cases

William Champion Popejoy Sr.

-In 1840, William Popejoy purchased four tracts of land from the federal government.
-William purchased a total of 280 acres in Section 11 of Avoca Township.
-William's farm was about four miles north of the farm of Isaac Wilson.
-William was about one mile from the village of Avoca, and Isaac was about three miles away.

Lincoln’s 3 Pontiac Cases

- In 1840…….

-Isaac Wilson was 28 years of age
-William Popejoy was 47 years of age

-Popejoy was old enough to be father of Wilson

-Abe Lincoln was 31

Lincoln’s 3 Pontiac Cases

- Mr. Popejoy asked Mr. Wilson if he could rent his horse for a trip to Bloomington and back.
- Mr. Popejoy agreed to care for, feed and shod the horse plus pay Mr. Wilson $1.
- Mr. Popejoy made the trip to Bloomington and returned the horse to Mr. Wilson.
- Unfortunately, the horse died soon after it was returned home.
- Mr. Wilson sued Mr. Popejoy and alleged that Mr. Popejoy had not taken proper care of his horse and requested $300 in damages.
- Mr. Popejoy retained 31-year-old Abraham Lincoln as his attorney.

Lincoln’s 3 Pontiac Cases

- Isaac Wilson retained Stephen A. Douglas as his attorney.
- Only 27 years of age, Douglas was already famous throughout the State. Douglas was a fervent Democrat and one of the great orators of his day.
- Already he had been Attorney General of the State and a member of the Illinois House of Representatives.
- Later that year, he would be appointed Secretary of State, and in 1841 he would be appointed a Justice of the Illinois Supreme Court, the youngest man ever to serve on that tribunal.
- Douglas was also clearly a young man rising swiftly in the world.

Lincoln's 3 Pontiac Cases

Stephen A. Douglas

Lincoln’s 3 Pontiac Cases

- The trial of Wilson versus Popejoy was held in May of 1840.

- This trial was the first legal case ever decided in Livingston County.

- Mr. Lincoln lost the case, and the jury found in favor of Mr. Wilson.

- However, Mr. Lincoln was able to get the $300 sought by Mr. Wilson reduced to $70.25.

- $300 in 1840 worth $7,893 in today’s dollars

Lincoln's 3 Pontiac Cases

1840

January

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February

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March

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May

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31						

June

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August

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23	24	25	26	27	28	29
30	31					

September

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October

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November

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December

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20	21	22	23	24	25	26
27	28	29	30	31		

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Lincoln’s 3 Pontiac Cases

- Just 5 months later, Isaac Wilson alleged that William Popejoy had stolen meat from Mrs. William McDowell at the village of Avoca.

- Mr. Popejoy responded by saying he had not stolen the meat, and he sued Mr. Wilson for slander.

- Mr. Popejoy continued to use Abraham Lincoln as his attorney for this legal matter.

- Mr. Wilson hired Burton C. Cook as his attorney.

Mrs. McDowell was widow, going blind

Lincoln’s 3 Pontiac Cases

- The court hearing for the slander suit of Popejoy versus Wilson was conducted in Pontiac in October of 1840.
- Mr. Lincoln won this case, and the jury awarded $2,000 to Mr. Popejoy.
- This amount was considered a significant judgment in that era.
- This amount of money would be equivalent to $52,620 in today's dollars.

Lincoln’s 3 Pontiac Cases

- William Popejoy moved from Avoca to Cropsey

- He died in 1848 at the age of 55.

- Isaac Wilson moved from Avoca to Pleasant Ridge Township in 1853.

- Mr. Wilson died in 1888 at the age of 75.

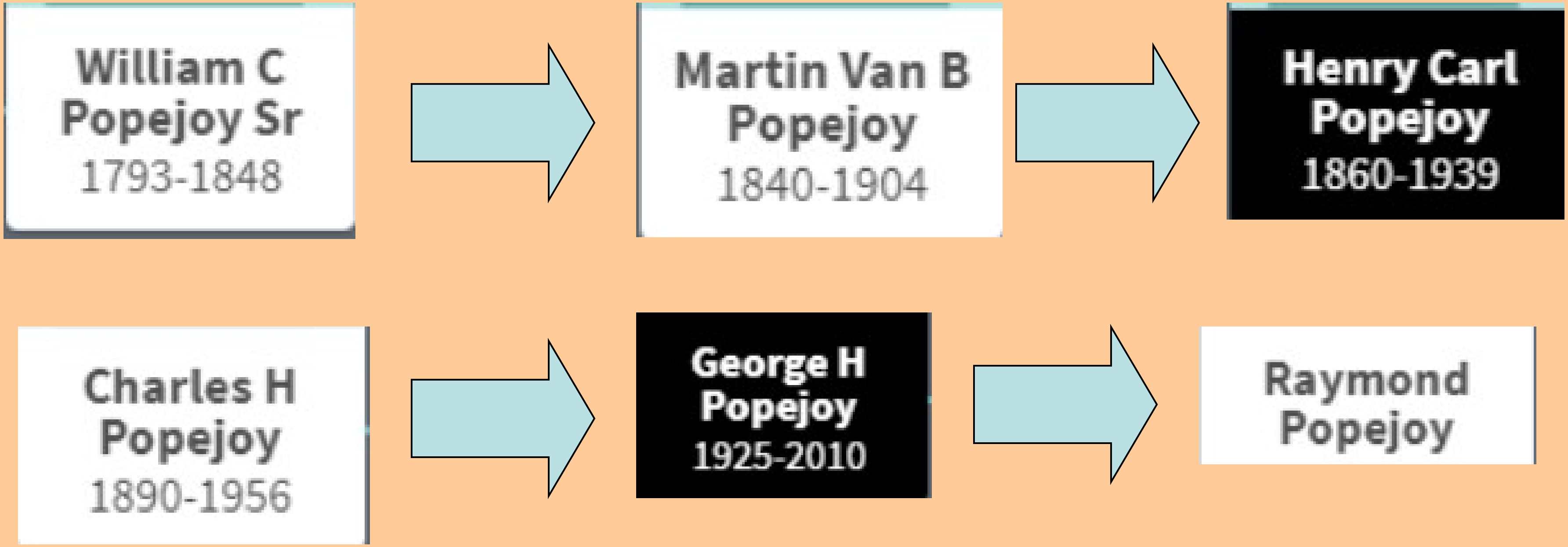
No known descendants of Mr. Wilson in Livingston Co.

Lincoln's 3 Pontiac Cases

- Is Ray Popejoy, founder of Popejoy Plumbing, Heating, Electric, and Geothermal company in Fairbury, a descendant of William Popejoy?

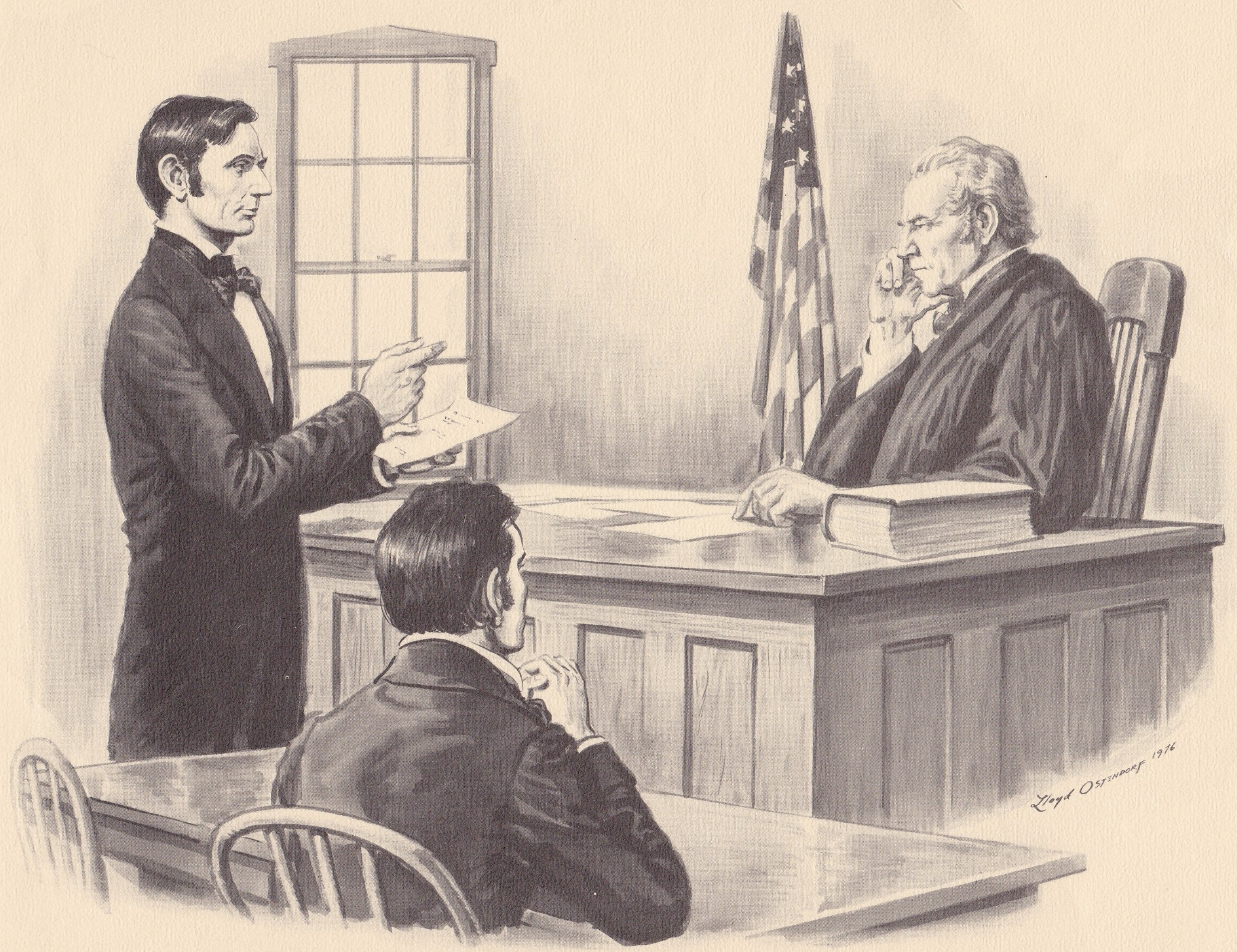
Ancestry.com

Lincoln’s 3 Pontiac Cases



William C. Popejoy is Ray Popejoy’s 3rd Great-Grandfather ☺

Lincoln’s 3 Pontiac Cases

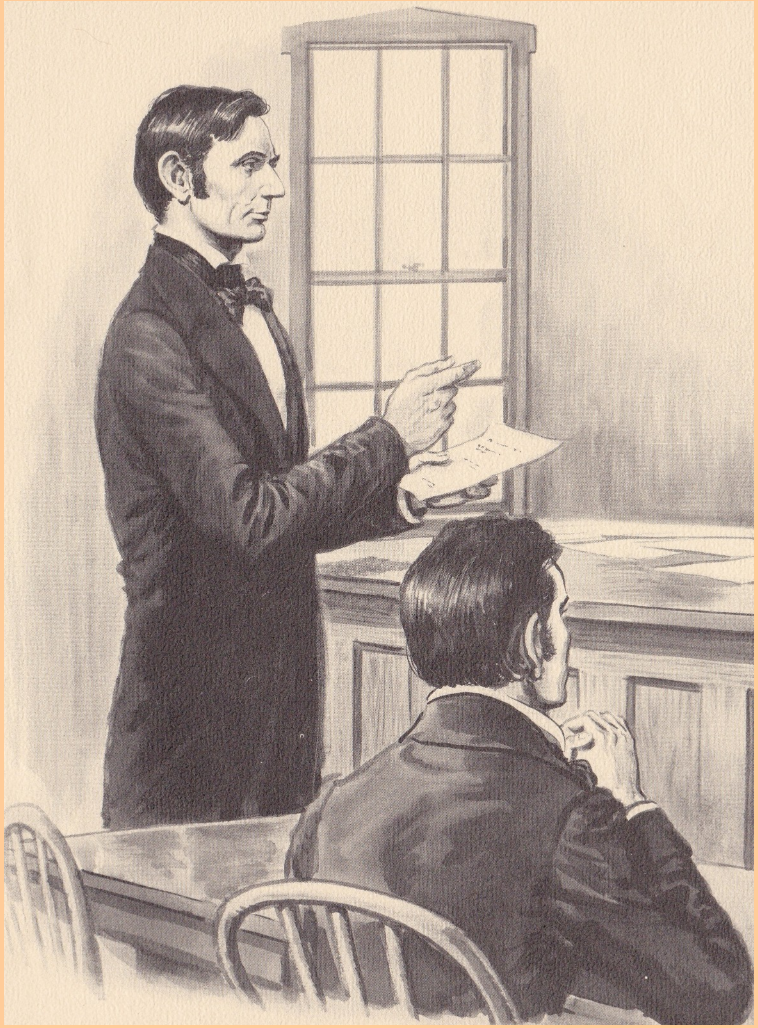


ON MAY 18, 19, 1840 YOUNG ATTORNEY ABRAHAM LINCOLN AT THE CIRCUIT COURT REPRESENTS HIS CLIENT MR. POPEJOY IN PONTIAC, LIVINGSTON COUNTY, ILLINOIS.

Summary

- A fun research project ☺

- Interesting to discover a current descendant of Mr. Popejoy



Questions?